

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD, DAVID BALDACCI,
MARY BLY, MICHAEL CONNELLY,
SYLVIA DAY, JONATHAN FRANZEN,
JOHN GRISHAM, ELIN HILDERBRAND,
CHRISTINA BAKER KLINE, MAYA
SHANBHAG LANG, VICTOR LAVALLE,
GEORGE R.R. MARTIN, JODI PICOULT,
DOUGLAS PRESTON, ROXANA
ROBINSON, GEORGE SAUNDERS, SCOTT
TUROW, and RACHEL VAIL, individually and
on behalf of others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC, OPENAI
GP LLC, OPENAI LLC, OPENAI GLOBAL
LLC, OAI CORPORATION LLC, OPENAI
HOLDINGS LLC, OPENAI STARTUP FUND
I LP, OPENAI STARTUP FUND GP I
LLC, OPENAI STARTUP FUND
MANAGEMENT LLC, and MICROSOFT
CORPORATION,

Defendants.

JONATHAN ALTER, KAI BIRD, TAYLOR
BRANCH, RICH COHEN, EUGENE LINDEN,
DANIEL OKRENT, JULIAN SANCTON,
HAMPTON SIDES, STACY SCHIFF, JAMES
SHAPIRO, JIA TOLENTINO, and SIMON
WINCHESTER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI,
LLC, OPENAI OPCO LLC, OPENAI GLOBAL
LLC, OAI CORPORATION, LLC, OPENAI
HOLDINGS, LLC, and MICROSOFT
CORPORATION,

Defendants.

Case No. 1:23-cv-08292-SHS;
Case No. 1:23-cv-10211-SHS

**DECLARATION OF WESLEY
DOZIER IN SUPPORT OF
PLAINTIFFS' REPLY IN SUPPORT
OF MOTION FOR VOLUNTARY
DISMISSAL OF PLAINTIFF MAYA
LANG**

DECLARATION OF WESLEY J. DOZIER

I, Wesley J. Dozier, declare as follows:

1. I am an associate at the New York office of the law firm Lieff Cabraser Heimann & Bernstein, LLP. I have personal knowledge of the facts set forth herein and could competently testify to them if called upon to do so.

2. Plaintiffs' objections to discovery propounded on Maya Lang interposed subsequent to the notification to Defendants of Ms. Lang's need to withdraw are found in Gen. Obj. No. 6 of Pl.s' Resp. to Def. Microsoft Corp.'s 1st Set of Rogs (served on July 29, 2024); Pl.s' Supp. Resp. to Def. OpenAI OpCo, LLC's 2d Set of Rogs (supplemental objections served on August 5, 2024), and Fiction Pl.s' Supp. Resp. to Def. OpenAI OpCo LLC's 4th Set of RFPs (supplemental objections served on August 5, 2024).

3. Attached as **Exhibit A** is a true and correct copy of an August 7, 2024 email from me to OpenAI's Counsel Elana Nightingale-Dawson that confirms, in relevant part, that Plaintiffs have agreed to search for and produce relevant emails from the "president@authorguild.com" email address.

4. Attached as **Exhibit B** is a true and correct copy of an August 18, 2024 email from me to OpenAI's Counsel Elana Nightingale-Dawson that provides, in relevant part, that Plaintiffs are producing thousands of documents from Authors Guild email accounts.

5. Attached as **Exhibit C** is a true and correct copy of a July 12, 2024 email from Rachel Geman to OpenAI's Counsel Elana Nightingale-Dawson that provides, in relevant part, that Ms. Lang has not been a ChatGPT user beyond some limited queries relating to her own books.

6. Plaintiffs propounded interrogatories on the OpenAI Defendants on February 23, 2024 relating to OpenAI's licenses. Interrogatory No. 5 asks OpenAI to "[i]dentify any third-party individuals or organizations with which You have discussed licensing Agreements for any copyrighted materials." Interrogatory No. 6 asks OpenAI to "[i] identify any third-party individuals or organizations with which you have entered into any licensing Agreements for the use of copyrighted materials." As of the date of this filing, Plaintiffs are still awaiting supplemental responses, which OpenAI has undertaken to provide, that substantively respond to the questions.

I, Wesley J. Dozier, declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct. Executed this 19th day of August, 2024 in New York, NY.

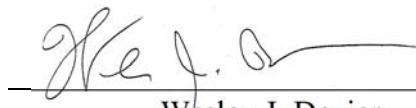


Wesley J. Dozier

PROOF OF SERVICE VIA ECF

On August 19, 2024, I caused to be served the following document on all counsel of record via ECF:

**DECLARATION OF WESLEY J. DOZIER IN SUPPORT OF PLAINTIFFS'
REPLY IN SUPPORT OF MOTION FOR VOLUNTARY DISMISSAL OF PLAINTIFF
MAYA LANG**



Wesley J. Dozier